

REMARKS

In accordance with the foregoing, claims 9, 12-20, 23-28, 41, 45-52 and 56-61 are amended. No new matter is added. Claims 9, 10, 12-21, 23-28, 41, 42, 45-53 and 56-61 are pending and under consideration.

Applicants respectfully express their concern that the Supplemental Amendment filed with the Request for Continuing Examination on July 26, 2006, the Office Action mailed on October 11, 2006, in this Application, and the Information Disclosure Statement filed on December 4, 2006, in this application are not posted in USPTO PAIR database.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 9-10, 12-28, 41-42, 45-53 and 56-61 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,118,586 to Tanabe et al. (hereinafter "Tanabe") in view of Japanese Utility Model No. 258847 to LGZ Landis ("Landis") and further in view of U.S. Patent No. 6,088,076 to Ogawa ("Ogawa").

Applicants amend independent claims 9, 20, 41, 52, and 61 to further specify that "each of the diffraction grating cells [includes] at least one of a blazed type and a binary type grating having the same profile and arranged in parallel, and [is] formed by arranging substantially identical curved lines in the form of a sector of a circle, the curved lines being separated at regular intervals, the interval having a horizontal component and a vertical component." The claim amendments are fully supported by the originally filed specification and claims. See, for example, application's page 16, lines 14-23. The amended language substantially follows the claims amendments suggested by the Examiner in the telephonic interview on September 20, 2006.

Independent claims 9, 20, 41, 52, and 61 and dependent claims 10, 12-19, 21, 23-28, 42, 45-51, 53 and 56-60 depending from the independent claims, respectively, patentably distinguish over the cited prior art, because Tanabe, Landis and Ogawa, alone or in combination do not disclose all the features of the amended independent claims.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: January 11, 2007

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